

THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

FILED
SCRANTON

APR 10 2025

PER EP
DEPUTY CLERK

DAVID J. CATANZARO,
Plaintiff,
v.
LYKART TECHNOLOGIES LLC, et al.,
Defendants.

Case No. 3:22-cv-1754

Judge Joseph F. Saporito, Jr.

Referred to: Phillip J. Caraballo

JURY TRIAL DEMANDED

**PLAINTIFF'S NOTICE CLARIFYING SCOPE OF NON-OPPOSITION
TO MOTION TO STAY**

Plaintiff David J. Catanzaro respectfully submits this notice to clarify the record in connection with the Notice of Non-Opposition filed by certain Defendants on April 9, 2025 (ECF No. 91), and to ensure full accuracy regarding the current posture of all parties in this case.

1. Plaintiff moved to stay these proceedings on April 3, 2025 (ECF No. 89). On April 9, 2025, Defendants Google LLC, YouTube LLC, Microsoft Corporation, Mozilla Corporation, Apple Inc., Target Corporation, and Poshmark, Inc. filed a Notice stating that they do not oppose Plaintiff's Motion to Stay.
2. The filing does not mention that two Defendants, Lykart Technologies LLC and GrowKart, have been served and failed to respond. These parties are in procedural default, though a formal request for entry of default has not yet been submitted. They have not made an appearance in this case and have not filed any opposition to the Motion to Stay.

3. Accordingly, Plaintiff submits this clarification to confirm that **all Defendants are unopposed** to the requested stay, either by express non-opposition or by procedural default.
4. In addition, Plaintiff confirms that all appearing Defendants have agreed to accept service via email for purposes of satisfying the certificate of service requirement.
5. Plaintiff also notes that the outcome of this matter may have a direct impact on the scope and direction of the *Catanzaro v. Walmart Stores, Inc., et al.*, No. 3:22-cv-01768, which raises overlapping factual and legal issues (i.e., a default defendant that has been in default for over a year may seek to re-enter the case based on decisions made in this action).
6. **Clarification:** Defendants referenced in prior filings but not listed in the operative Fifth Amended Complaint are no longer part of the action. While Alphabet Inc. has been dismissed from the case, it is still reflected in the Fifth Amended Complaint for historical accuracy. The present notice, including references in the proposed order to stay the case (denoted within ECF 89), concerns only the active defendants.

Plaintiff submits this notice to assist the Court in its review and respectfully reiterates his request that the Motion to Stay (ECF No. 89) be granted.

Date April 10, 2025

Respectfully submitted,



David J. Catanzaro
Plaintiff pro se
286 Upper Powderly Street
Carbondale, PA 18407
Phone: (570) 936-9262
E-mail: davidjosephus@aol.com

CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2025, I caused a true and correct copy of the foregoing **Plaintiff's Notice Clarifying Scope of Non-Opposition to Motion to Stay** to be served via email, in accordance with the parties' agreement for reciprocal email service, to all counsel of record as listed on the docket:

For Unrepresented Defendants:

The following two defendants have not appeared in this case and are not represented by counsel. Copies of the foregoing document were served via First Class U.S. Mail to the last known business address shared by both entities:

Lykart Technologies, LLC. and GrowKart

30 N Gould St Suite 5707
Sheridan, WY 82801, US

These defendants are currently in procedural **default**, and Plaintiff reserves the right to move for entry of default as appropriate.

Date April 10, 2025



David J. Catanzaro
Plaintiff *pro se*
286 Upper Powderly Street
Carbondale, PA 18407
Phone: (570) 936-9262
E-mail: davidjosephus@aol.com